

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

BOARDS OF TRUSTEES OF OHIO
LABORERS' FRINGE BENEFIT
PROGRAMS,

Plaintiff,

v.

SAM DEMETER
CONSTRUCTION, LLC,

Defendant.

Case No. 2:19-cv-791

CHIEF JUDGE EDMUND A. SARGUS, JR.
Magistrate Judge Chelsey M. Vascura

ORDER

On June 26, 2019, the Magistrate Judge issued a Report and Recommendation in this case recommending: (1) that Defendant be held in contempt; (2) that a fine of \$100.00 per day be imposed on Defendant until it complies with the Court's order to appear for deposition and produce responses to Plaintiff's written discovery; (3) that Defendant be ordered to pay the attorney's fees and costs Plaintiff reasonably incurred in connection with its Motion for Contempt and show cause hearing; and (4) that these sanctions *not* be imposed should Defendant comply with the Court's April 25, 2019 Order (ECF No. 11) concerning discovery by July 12, 2019. The Report and Recommendation advised the parties that failure to object within fourteen (14) days would result in a waiver of review. The time period for objections has run and no party has objected to the Report and Recommendation. Accordingly, the Court **ADOPTS** the Report and Recommendation.

Therefore, Defendant is **HELD IN CONTEMPT** of this Court's April 25, 2019 Order. Accordingly, the Court **IMPOSES** a fine of \$100.00 per day against Defendant until it complies with the Court's April 25, 2019 Order and **ORDERS** Defendant to pay the attorney's fees and

costs Plaintiff reasonably incurred in its connection with its Motion for Contempt and show cause hearing.

IT IS SO ORDERED.

7-15-2019
DATE


EDMUND A. SARGUS, JR.
CHIEF UNITED STATES DISTRICT JUDGE